

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JOHNIE WILKERSON, )  
Petitioner, )  
v. ) 4:06CV496 RWS  
DAVE DORMIRE, et al., ) (TIA)  
Respondents. )

**MEMORANDUM AND ORDER**

This matter is before the Court on Petitioner's Motion for Relief. The case was referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b).

On March 21, 2006, Petitioner filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. On May 2, 2006, Petitioner, through his attorney, filed a Motion for Relief, requesting that this Court order the Circuit Attorney and the City of St. Louis Police Department to preserve and retain intact any evidence pertaining to Petitioner's underlying state conviction. Respondent has not filed a response to this motion which would indicate any opposition or consent to said motion. However, because this is a request of first impression before this Court, the undersigned will order the Respondent to address the motion in a timely manner.

Accordingly,

**IT IS HEREBY ORDERED** that Respondent file a response to Petitioner's Motion for Relief within ten (10) days from the date of this Memorandum and Order.

Dated this 18th day of September.

/s/ Terry I. Adelman  
UNITED STATES MAGISTRATE JUDGE